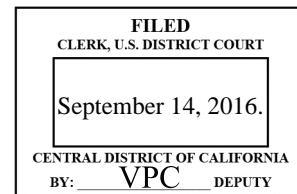


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8 Attorneys for Plaintiff  
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,  
13 Plaintiff/Respondent,  
14 v.  
15 JOSE DE JESUS GARCIA,  
16 Defendant/Petitioner.

Case No. CV 16-5581-SJO  
CR 15-339-SJO

ORDER GRANTING GOVERNMENT'S MOTION  
TO STAY PETITIONER'S § 2255 MOTION  
PENDING APPEAL

17  
18 The Court's having considered the government's motion to stay  
19 defendant/petitioner's "Motion to Vacate, Set Aside, or Correct  
20 Sentence Pursuant to 28 U.S.C. § 2255," (the "§ 2255 Motion"), and  
21 good cause appearing therefor, the Court hereby ORDERS as follows:

22 1. All proceedings as to the § 2255 Motion are hereby stayed  
23 pending defendant's appeal in the criminal case, United States v.  
De Jesus Garcia, CR 15-00339-SJO.

24 ///  
25 ///  
26 ///  
27 ///  
28 2. Within 14 days of the Court of Appeal's mandate in United

1 States v. De Jesus Garcia, Ninth Circuit Court of Appeals Case No.  
2 15-50558, the government shall file a status report (and proposed  
3 schedule for briefing of the § 2255 Motion, if appropriate).

4 IT IS SO ORDERED.

5 September 14, 2016

*S. James Otero*

6 DATE

HONORABLE S. JAMES OTERO  
7 UNITED STATES DISTRICT JUDGE

8 Presented by:

9 /s/

10 STACEY R. FERNANDEZ  
Special Assistant United States  
11 Attorney

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